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Filed September 22, 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

JEFFREY M. STAUB,
PETER H.J. HAJDUKIEWICZ, and LARRY GILBERTSON,
Junior Party
(Patent 6,849,778),

v.

PAL MALIGA
and SYLVIE CORNEILLE
Senior Party
(Application 10/088,634).

Patent Interference No. 105,420
(Technology Center 1600)

Before McKelvey, Senior Administrative Patent Judge, and Delmendo and Lane,
Administrative Patent Judges.

JUDGMENT-NO INTERFERENCE-IN-FACT-BD.R. 127

The joint motion of the parties for a judgment of no interference-in-fact (Paper 27) has been granted. (Paper 28).

Upon consideration of the record and for reasons given, it is

ORDERED that there is no interference-in-fact between claims 1-4 of Staub's 6,849,778 patent and claims 1-21 of Maliga's 10/088,634 application;

FURTHER ORDERED that, if there is a settlement agreement, the parties are directed to 35 USC § 135(c) and Bd. R. 205; and

FURTHER ORDERED that a copy of this judgment shall be entered into the administrative records of Staub's 6,849,778 patent and Maliga's 10/088,634 application.

/Fred E. McKelvey/
FRED E. MCKELVEY
Senior Administrative Patent Judge

/Romulo H. Delmendo/
ROMULO H. DELMENDO
Administrative Patent Judge

/Sally G. Lane/
SALLY G. LANE
Administrative Patent Judge

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